

forth in the introductory paragraph at §806.05, which is deemed applicable to all of the subsections (a) through (i) of §806.05 where it is stated that:

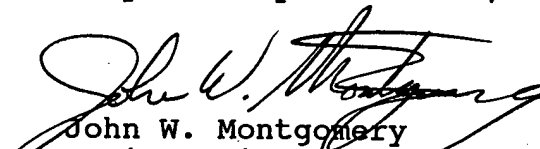
"...If they are distinct, restriction may be proper...." (Emphasis added)

It is further noted that 35 U.S.C. §121 lays down the general rule which is permissive, as follows:

"If two or more independent and distinct inventions are claimed in one application, the Commissioner may require the application to be restricted to one of the inventions...." (Emphasis added)

It is Applicants' position that regardless of the permissive finding of distinct inventions under the guidelines of M.P.E.P. §806.05(c), the claims in this application are sufficiently closely related so that they are not truly independent under 35 U.S.C. §121. For purposes of economy on the behalf of the Applicant (an individual who is a member of the public for which the Patent Office is intended to be of service) considering all claims in the same application is reasonable, permissible and appropriate. Reconsideration and withdrawal of the restriction requirement and consideration of all of the claims in the same patent application is respectfully requested.

Respectfully submitted,


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January 17, 1994

KELL-20,889
Applicants: James J. Keller
For: Ink Receptive Dampening System
for Lithographic Printing Press
PRELIMINARY ELECTION WITH TRAVERSE

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed for Commissioner of Patents and Trademarks, Washington, D. C. 20231 on

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John W. Montgomery